

Serial No.: 09/512,417

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a controller for controlling the gas control system, wherein the controller modifies the gas added to and withdrawn from the gain medium in the laser tube by the gas control system in response to the optical parameter measured by said photo diamond detector.

A²

8. The laser system of claim 7, further comprising:

metal mesh shielding disposed at a front face of the photo diamond detector for preventing EMI disturbance to the photo diamond detector.

REMARKS

Claim Rejections Under 35 U.S.C. 112

Claim 8 is rejected under 325 U.S.C. 112 as being indefinite for depending from Claim 9, wherein Claim 9 is also dependent on Claim 8. Claim 8 has been amended to depend from Claim 7, and the rejection is overcome.

Claim Rejections Under 35 U.S.C. 103

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States patent no. 6,381,257 to Ershov et al. in view of "Diamond v. Photodiode; High Speed Planar Photoconductor" article. It is respectfully submitted that Ershov et al. does not represent prior art to any claims finding support at Applicant's priority provisional application. Applicant filed a provisional application on February 26, 1999, which, as understood, supports at least each of Claims 1-2 and 5-12. Ershov et al. was filed on December 28, 1999 and claims priority to four earlier filed U.S. patent applications; the earliest one having been filed on September 27, 1999. Therefore, it is respectfully submitted that the rejection of each of Claims 1-2 and 5-12 should be withdrawn.

Moreover, it is respectfully submitted that the features set forth at each of Claims 3-4 and 13-15, as now amended, are not taught or suggested by any combination of the references being relied upon by the Examiner. Specifically, the controller for controlling the gas supply system and modifying the gas added to and withdrawn from the gain medium in the laser tube by the discharge module in response to the optical parameter

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measured by the photo diamond detector of Claims 3-4, and the step of adding and withdrawing gas from the laser tube in response to the optical parameter measured by said photo diamond detector of Claims 13-15, are each neither taught nor suggested by any combination of the references being relied upon by the Examiner. Therefore, it is respectfully submitted that each of Claims 3-4 and 13-15, as now amended, is allowable over this rejection.

In view of the above, it is respectfully submitted that the application is now in condition for allowance. The Examiner's reconsideration and further examination are respectfully requested.

In the event any fee is required for filing the above-noted document, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing attached document timely, the Assistant Commissioner is hereby authorized to charge the fee to our Deposit Account No. 50-0612. A duplicate of this page is enclosed.

Respectfully submitted,
SIERRA PATENT GROUP, LTD.

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